

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DEUTSCHE BANK SECURITIES INC.,

Plaintiff,

Case No. 19-cv-10823

v.

KINGATE GLOBAL FUND LTD. and
KINGATE EURO FUND LTD.,

Defendants.

NOTICE OF MOTION

Defendants Kingate Global Fund Ltd. and Kingate Euro Fund Ltd. (“Kingate Funds”) by and through their undersigned counsel, hereby move, pursuant to Federal Rule of Civil Procedure 12(b)(6), for an Order dismissing the Complaint for failure to state a claim. The grounds for this Motion are set forth in the accompanying memorandum of law.

Dated: New York, NY
April 1, 2020

SELENDY & GAY PLLC

By: /s/ Philippe Z. Selendy

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Attorneys for Defendants Kingate Global Fund Ltd. and Kingate Euro Fund Ltd.

CERTIFICATE OF SERVICE

I certify that on April 1, 2020, I filed **DEFENDANTS' NOTICE OF MOTION**,
MEMORANDUM IN SUPPORT OF MOTION TO DISMISS, and **DECLARATION OF**
PHILIPPE Z. SELENDY IN SUPPORT OF MOTION TO DISMISS electronically with the
Clerk of Court using the CM/ECF System, which will send notification of such filing to all
parties of record in the above-captioned case.

Dated: New York, NY
April 1, 2020

SELENDY & GAY PLLC

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*Attorney for Defendants Kingate Global
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